SEP 1 9 2003 E BEFORE THE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Customer Number: 20277

Jiro MATSUFUSA, et al.

Confirmation Number: 3318

Serial No.: 09/620,718

Group Art Unit: 2814

Filed: July 20, 2000

Examiner: G. Peralta

For: SEMICONDUCTOR DEVICE HAVING TEST MARK

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated August 21, 2003 of the Primary Examiner finally rejecting claims 1-8.

Appeal Fee: \$\\\\ 320.00

Not required (fee paid in prior appeal in this application).

Charge to Deposit Account No. 500417.

Check Enclosed.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

Scott D. Paul

Registration No. 42,984

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Date: September 9, 2003